REMARKS/ARGUMENTS

Claims 1 and 4-10 are pending herein. New claim 7 includes the subject matter of claim 1 and further includes subject matter supported by page 4, lines 32-38 of the specification, for example. New dependent claims 8-10 correspond to dependent claims 4-6, respectively. Applicants respectfully submit that no new matter has been added.

Examiner Vanaman is thanked for courtesies extended to Applicants' undersigned representative during a telephonic interview on July 13, 2007. The substance of that interview has been incorporated into the following remarks.

1. Claims 1, 5 and 6 were rejected under §103(a) over Fagot in view of Wolf. This rejection is respectfully traversed.

Claim 1 recites a gliding board comprising a gliding surface that terminates in at least one raised end. The end begins at a low point along the gliding surface and extends to a highest point. The end has a peripheral zone and a central zone. The peripheral zone extends from sides of the end toward the central zone of the end and has a thickness which is less than a thickness of the central zone of the end. The peripheral zone is connected to the central zone by a discontinuity that forms an inflection surface continuously extending throughout a length of the discontinuity in the end to form a smooth arc between the sides of the end.

Examiner Vanaman correctly asserts, in section 4 on page 2 of the Office Action, that Fagot fails to disclose a discontinuity having a smooth arc shape. Examiner Vanaman relies on Wolf for the alleged disclosure of this feature. Examiner Vanaman asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the discontinuity separating the central and peripheral zones of the board taught by Fagot as a smooth arc, as taught by Wolf, in place of a two-piece arc "for the purpose to adjusting the response of the board at the tip end." Applicants respectfully submit that one skilled in the art would not have combined the disclosure of Wolf with Fagot to modify the discontinuity of Fagot "for

the purpose of adjusting the response of the board at the tip end" because the arc shaped feature of Wolf is not a structural feature that could adjust the response of the board.

Fagot discloses, in Figs. 1-40, that a gliding board having a uniform structure, as indicated in Figs. 25-31, can include a raised reinforcing structure 7 to increase the thickness of the gliding board in a central zone of the gliding board. It is clear from the embodiments of Fagot that the raised reinforcing structure 7 provides increased rigidity and strength along the portions of the board where it is present, because it is shown to be made of the same structural material as the remainder of the gliding board. Further, there is no disclosure or suggestion within Fagot that the raised reinforcing section 7 can be anything other than a structure that provides additional strength or rigidity to the gliding board.

Wolf discloses, in all of the embodiments and in column 2, lines 21-26, a gliding board 10 including two distinct layers, an elongate member 12 configured to slide over snow, and a traction member 14 configured to provide traction for the boots or shoes of a rider. Wolf discloses, in column 2, lines 45-54, that the elongate member 12 is typically made of high-density polyethylene material or possibly from a translucent material such as polycarbonate or LEXAN, both of which are well known structural materials. Wolf discloses, in column 4, lines 12-22, that the traction member 14 is typically a pliant layer of foam material including an adhesive backing that adheres to the elongate member 12. Wolf discloses, in column 4, lines 15-17, that virtually any other suitable pliant member may be used for the traction member 14 including other open or closed-cell foams, or rubber materials, etc.

While Wolf discloses, in column 4, lines 17-19, that it will be understood that the traction member may not be pliant, it is clear from the disclosure of Wolf that the traction member 14 is merely secured to the elongate member 12 for the purpose of traction and is not, in any way, provided for the purpose of modifying the structural characteristics of the elongate member 12. Accordingly, one such non-pliant traction member could be sand paper or other grit paper that is known in the art to be used to

enhance traction. There is absolutely no disclosure or suggestion within Wolf that the traction member 14 can be made of a material chosen for structural characteristics that could adjust the response of the board. Further, there is no disclosure or suggestion within Wolf that the traction member 14 and the elongate member 12 can be made of the same material such that they would form one solid structure as disclosed in Fagot.

For at least the foregoing reasons, Applicants respectfully submit that the traction member 14 is merely a layer "to provide traction for the boots or shoes of a rider" and will not in any way be used by one skilled in the art to adjust the response of the board at the tip end, as alleged by the PTO. In addition, Applicants respectfully submit that all of the embodiments of Fagot have a raised reinforcing structure section that is not a separately adhered material, such as the traction member 14 of Wolf.

Even further, there is no disclosure or suggestion within Fagot or Wolf that a secondary material, the traction member 14 of Wolf, could be added to the homogeneous structure of Fagot including a raised reinforcing section 7. In fact, the addition of such a secondary material could hinder the addition of bindings, which are required to attach ski boots to the gliding board of Fagot. In other words, there is no common sense reason for one skilled in the art to replace the raised reinforcing structure 7 of Fagot with a non-structural attraction member that is adhered to an existing structure using glues, fasteners, cements, etc. Any allegation that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Fagot and Wolf for the alleged disclosure of the gliding board recited in claim 1 is based solely on hindsight and lacks significant details that would have been required by one skilled in the art to make such a combination.

For at least the reasons discussed above, Applicants respectfully submit that the gliding board recited in claim 1 would not have been obvious to one skilled in the art provided with the disclosures of Fagot and Wolf. Since claims 5 and 6 depend directly from claim 1, those claims are also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

2. Claim 4 was rejected under §103(a) over Fagot in view of Wolf and Emig. Applicants respectfully submit that the arguments submitted above distinguish claim 1 from Fagot and Wolf. Since Emig does not overcome the deficiencies of Fagot and Wolf, and since claim 4 depends directly from claim 1, claim 4 is also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

Examiner Vanaman is respectfully requested to note that new independent claim 7 has been added and affirmatively recites that the thickness of the central zone is substantially thicker than the thickness of the peripheral zone throughout the length of the discontinuity. Fagot discloses, in every embodiment therein, that the raised reinforcing structure 7 must terminate into the tip end 4 or tail end 5 in such a way that there is no height difference between the raised reinforcing structure 7 and the peripheral zone 14 at least at one point. For example, as shown in Figs. 2 and 3, the raised reinforcing structure 7 terminates into the tip end 4 such that there is only a height difference along the sides 12 of the raised reinforcing section 7. As another example, Fagot discloses, in Figs. 22 and 23, that the raised reinforcing section 7 terminates at a single point in each of the tip end 4 and the tail end 5 such that there is no height difference between the raised reinforcing section 7 and the peripheral zone 14 at the terminating point. Apparently, there is a distinct advantage in the design of Fagot to seamlessly terminate the raised reinforcing structure into the ends. Wolf, used above only for its alleged disclosure of a continuous inflection surface, would have failed to provide one skilled in the art any reason to terminate the raised reinforcing section of Fagot in any manner other than as shown in Fagot.

For at least the foregoing reasons, Applicants respectfully submit that all pending claims herein define patentable subject matter over the art of record. Accordingly, the PTO is requested to issue a Notice of Allowance for this application in due course.

If Examiner Vanaman believes that further contact with Applicants' attorney would be advantageous toward the disposition of this case, he is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

August 3, 2007
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